

FEB 4 3 05 PM '98

PREPARED BY AND RETURN TO:  
JEFF S. MCCASKILL - ATTORNEY AT LAW  
48 STATELINE RD. W.  
SOUTHAVEN, MS 38671  
(601) 393-8542 file 98-138

BK 328 PG 350  
W.E. DAVIS CH. CLK.

MARTIN E. SMITH, A Single Person,  
GRANTOR

TO:

WARRANTY DEED

GARY WAYNE SIMMONS AND WIFE, SUSAN J. SIMMONS  
GRANTEES

For and in consideration of the sum of Ten and No/100 (\$10.00) Dollars, cash in hand paid, and other good, legal sufficient and valuable consideration, the receipt of which is hereby acknowledged, the undersigned Grantor does hereby sell, convey, and warrant unto the above Grantees, GARY WAYNE SIMMONS AND WIFE, SUSAN J. SIMMONS, as joint tenants with full rights of survivorship and not as tenants in common, the following described real estate, located and situated in DeSoto County, Mississippi and more particularly described as follows, to-wit:

**Lot 2, Cypress Creek Plantation, situated in Sections 14 and 15, Township 2 South, Range 6 West, DeSoto County, Mississippi, as per plat thereof recorded in Plat Book 50, Page 25, in the office of the Chancery Clerk of DeSoto County, Mississippi.**

The warranty of this deed is subject to rights of way and easements for public roads and public utilities; to building, zoning, subdivision and health department regulations in effect in DeSoto County, Mississippi; and to the covenants, limitations and restrictions set forth with the recorded plat of said subdivision as well as any amendments thereto.

It is understood and agreed that the taxes for the year 1998 have been prorated as of this date on an estimated basis and when said taxes are actually determined, if the proration is incorrect then Grantor(s) agree to pay Grantee(s) or their assigns any deficiency and likewise Grantee(s) agree to pay Grantor(s) or their assigns any amount of overpayment

Possession is to be given with the Delivery of this Deed.

Witness my signature this the 28th day of January, 1998.

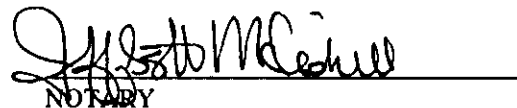


MARTIN E. SMITH  
GRANTOR

STATE OF Mississippi  
COUNTY OF DeSoto

Personally appeared before me, the undersigned authority of law in and for the jurisdiction aforesaid, the within named MARTIN E. SMITH, who acknowledged that he signed and delivered the above and foregoing instrument, on the day and year therein mentioned, as his free act and deed, and for the purposes therein expressed.

Given under my hand and seal this 28th day of January, 1998.

  
NOTARY

My commission Expires: 8/22/2001

Grantor's Address:  
3980 Cypress Plantation  
Olive Branch, MS 38654  
(H) (901) 533-9379  
(W) N/A

Grantee's Address:  
3962 Cypress Plantation Drive  
Olive Brnch, MS 38654  
(H) (601) 893-6823  
(W) (901) 525-3279